

**UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA**

**DENNIS RICE,
individually and on behalf of other similarly
situated shareholders of Dollar Thrifty
Automotive Group, Inc.,**

Plaintiff,

v.

**DOLLAR THRIFTY AUTOMOTIVE
GROUP, INC., THOMAS P. CAPO,
MARY ANN N. KELLER, EDWARD C.
LUMLEY, RICHARD W. NEU, JOHN C.
POPE, SCOTT L. THOMPSON,
HDTMS, INC., HERTZ GLOBAL
HOLDINGS, INC.,**

Defendants.

Case No. 10-CV-0294-CVE-FHM

and

**HAROLD MACARIOLA,
on behalf of himself and all other similarly
situated shareholders of Dollar Thrifty
Automotive Group, Inc.,**

Plaintiff,

v.

**DOLLAR THRIFTY AUTOMOTIVE
GROUP, INC., THOMAS P. CAPO,
MARY ANN N. KELLER, EDWARD C.
LUMLEY, RICHARD W. NEU, JOHN C.
POPE, SCOTT L. THOMPSON,
HDTMS, INC., HERTZ GLOBAL
HOLDINGS, INC.,**

Defendants.

Case No. 10-CV-0311-CVE-FHM

ORDER

Now before the Court is the purported “Joint Amended Class Action Complaint” (Case No. 10-CV-0294-CVE-FHM Dkt. # 32; Case No. 10-CV-0311-CVE-FHM Dkt. # 25) filed by plaintiffs Dennis Rice and Harold Macariola in their respective cases. Rice filed his complaint (Case No. 10-CV-0294-CVE-FHM Dkt. # 2) on May 7, 2010; Macariola filed his complaint (Case No. 10-CV-0311-CVE-FHM Dkt. # 2) on May 18, 2010. On May 27, 2010, “Plaintiffs Rice and Macariola’s Motion to Consolidate all Related Shareholder Class Actions and Appoint a Leadership Structure for Plaintiffs, and Brief in Support” (Case No. 10-CV-0294-CVE-FHM Dkt. # 7) was filed in Rice’s case. The motion requested, among other things, an order consolidating Case Nos. 10-CV-0294-CVE-PJC and 10-CV-0311-CVE-PJC.

On June 6, 2010, defendants filed a response stating that they did not oppose consolidation of the two cases, but they did oppose the remainder of the motion. Case No. 10-CV-0294-CVE-FHM Dkt. # 18, at 2. While that motion was pending, however, Rice and Macariola filed the instant Joint Amended Class Action Complaint, suggesting that the two cases had already been consolidated. See Case No. 10-CV-0294-CVE-FHM Dkt. # 32, at 1; Case No. 10-CV-0311-CVE-FHM Dkt. # 25, at 1. For good cause shown, the Court finds that the motion to consolidate cases should be granted.

IT IS THEREFORE ORDERED that Plaintiffs Rice and Macariola’s Motion to Consolidate all Related Shareholder Class Actions and Appoint a Leadership Structure for Plaintiffs, and Brief in Support” (Case No. 10-CV-0294-CVE-FHM Dkt. # 7) is **granted in part**: Case Nos. 10-CV-0294-CVE-FHM and 10-CV-0311-FHM shall be consolidated for discovery and trial. Case

No. 10-CV-0294-CVE-FHM is designated as the Base File. All further pleadings, motions, and other documents shall be filed in the Base File **only**, and shall bear the following caption:

DENNIS RICE and HAROLD MACARIOLA,)
individually and on behalf of all others)
similarly situated,)

Consolidated Plaintiffs,)

v.)

DOLLAR THRIFTY AUTOMOTIVE)
GROUP, INC., THOMAS P. CAPO,)
MARY ANN N. KELLER, EDWARD C.)
LUMLEY, RICHARD W. NEU, JOHN C.)
POPE, SCOTT L. THOMPSON,)
HDTMS, INC., HERTZ GLOBAL)
HOLDINGS, INC.,)

Defendants.)

Case No. 10-CV-0294-CVE-FHM
BASE FILE

Consolidated with
Case No. 10-CV-0311-CVE-FHM

IT IS FURTHER ORDERED that the remainder of plaintiff's Plaintiffs Rice and Macariola's Motion to Consolidate all Related Shareholder Class Actions and Appoint a Leadership Structure for Plaintiffs, and Brief in Support" (Case No. 10-CV-0294-CVE-FHM Dkt. # 7), including the request to appoint a leadership structure, **remains under advisement.**

DATED this 17th day of June, 2010.



CLAIRE V. EAGAN, CHIEF JUDGE
UNITED STATES DISTRICT COURT